

PATENT APPLICATION FEE DETERMINATION RECORD

Effective October 1, 2003

Application or Docket Number

28952/04000

CLAIMS AS FILED - PART I

(Column 1)

(Column 2)

TOTAL CLAIMS	20	
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	20 minus 20 =	*
INDEPENDENT CLAIMS	2 minus 3 =	*
MULTIPLE DEPENDENT CLAIM PRESENT <input type="checkbox"/>		

* If the difference in column 1 is less than zero, enter "0" in column 2

CLAIMS AS AMENDED - PART II

(Column 1)

(Column 2)

(Column 3)

AMENDMENT A		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total	21	Minus	20	= 1
	Independent	3	Minus	3	=
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>				

(Column 1)

(Column 2)

(Column 3)

AMENDMENT B		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total	*	Minus	**	=
	Independent	*	Minus	***	=
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>				

(Column 1)

(Column 2)

(Column 3)

AMENDMENT C		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total	*	Minus	**	=
	Independent	*	Minus	***	=
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>				

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

SMALL ENTITY TYPE ☐

OR

OTHER THAN SMALL ENTITY

RATE	FEE
BASIC FEE	385.00
X\$ 9=	
X43=	
+145=	
TOTAL	385

RATE	FEE
BASIC FEE	770.00
X\$18=	
X86=	
+290=	
TOTAL	

SMALL ENTITY

OR

OTHER THAN SMALL ENTITY

RATE	ADDI-TIONAL FEE
X\$ 9=	25
X43=	
+145=	
TOTAL ADDIT. FEE	

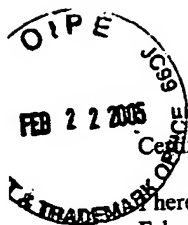
RATE	ADDI-TIONAL FEE
X\$18=	
X86=	
+290=	
TOTAL ADDIT. FEE	

RATE	ADDI-TIONAL FEE
X\$ 9=	
X43=	
+145=	
TOTAL ADDIT. FEE	

RATE	ADDI-TIONAL FEE
X\$18=	
X86=	
+290=	
TOTAL ADDIT. FEE	

RATE	ADDI-TIONAL FEE
X\$ 9=	
X43=	
+145=	
TOTAL ADDIT. FEE	

RATE	ADDI-TIONAL FEE
X\$18=	
X86=	
+290=	
TOTAL ADDIT. FEE	



Certificate of Mailing

hereby certify that this correspondence is being deposited on February 22, 2005 with the United States Postal Service as U.S. Express Mail No. EV 494323175 US in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Courtney J. Miller
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Customer Number
24024

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

James F. Nagy

Group Art Unit: 2872

Application No.: 10/825,903

Examiner: Ricky D. Shafer

Filed: April 16, 2004

Attorney Docket No.: 28957 / 04000

For:

**SYSTEM FOR CREATING SPECTRAL
DISPLAYS**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE TO ELECTION OF SPECIES

I. INTRODUCTORY COMMENTS

Dear Sir:

03/11/2005 PERITON 00000001 030172 10835903
01 FC:2202 25-00 DA
This paper is responsive to the Office Action mailed on January 21, 2005, which set a one-month shortened statutory period for response. This Amendment and Response, filed on January 22, 2005, is timely filed (due to the Federal Holiday on Monday, February 21, 2005); thus, no fee is believed due. Should it be deemed necessary, the Commissioner is hereby authorized to charge any and all required fees to Deposit Account No. 03-0172 (Calfee, Halter & Griswold LLP).

Response to Election of Species Requirement
Application No. 10/825,903

III. REMARKS

Amendments to Claims

New claim 21 has been added to the claims as originally filed and is believed to be generic with regard to all of the other listed claims. New claim 21 is supported by the specification and claims as originally filed; no new matter has been added.

Election of Species

In the Office Action mailed on January 21, 2005, the Patent Office indicated that the application contains claims directed to the following patentably distinct species of the claimed invention:

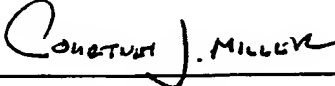
Species A: the light dispersing medium being a solid; and

Species B: the light dispersing medium being a fluid.

The Applicant elects Species A, the light dispersing medium being a solid, for prosecution on the merits. Original claims 1-10 and new claim 21, are readable on Species A. The Applicant makes this election, *with traverse* and asserts that it is not unreasonable for the Examiner to examine each of the species disclosed and claimed in the application. The Applicant argues that the two disclosed species does not constitute "more than a reasonable number of species" (37 C.F.R §1.146), thus the required election is improper.

Respectfully submitted,

Date: February 22, 2005



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